

EXHIBIT A TO SETTLEMENT AGREEMENT

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

----- x
MARIE DENISE GUARRIELLO,

Plaintiff,

v.

TOWN SPORTS INTERNATIONAL, LLC
D/B/A NEW YORK SPORTS CLUBS,

Defendant.
----- x

: 12 CIV. 2654 (NGG) (RLM)

: **STIPULATION OF**
: **DISMISSAL**

IT IS HEREBY STIPULATED AND AGREED, by and between undersigned counsel on behalf of their respective clients that, pursuant to and under the Federal Rules of Civil Procedure, all claims in this action are dismissed, with neither party as a prevailing party and with each party to bear its own costs and attorneys' fees incurred in connection with this action. If Defendant fails to make the Settlement Payment required by the parties' settlement agreement, Plaintiff may reinstate this action by filing a letter with the Court within 45 days of the date this Stipulation is "so-ordered" by the Court.

Dated: October 10, 2012

GOLDBERG & FLIEGEL LLP

By: Kenneth A. Goldberg
Kenneth Andrew Goldberg, Esq.
60 East 42nd Street, Suite 3520
New York, New York 10165
(212) 983-1077
KGldbrg@aol.com
Attorneys for Plaintiff

BRYAN CAVE LLP

By: William Hibsher
William Hibsher, Esq.
1290 Avenue of the Americas
New York, New York 10104
(212) 541-2000
WJHibsher@bryancave.com
Attorneys for Defendant

So Ordered:

Hon. Nicholas G. Garaufis, U.S.D.J.

MD